

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

ANTOINETTE E. JACKSON,

Plaintiff,

v.

GREENBLATT, LIEBERMAN, IRCHARDS
& WEISHOFF, LLC, et al.,

Defendants.

HONORABLE KAREN M. WILLIAMS

Civil Action
No. 25-10280 (KMW-MJS)

**MEMORANDUM OPINION &
ORDER**


WILLIAMS, District Judge:

The Court has received Plaintiff's Motion for Emergency Relief to Stay Ejectment and for Injunctive Relief, (ECF No. 1), and her Amended Motion of the same, requesting that the Court issue an order for temporary restraints and for entry of a preliminary injunction to prevent Plaintiff's eviction from her property which is currently subject to an active bankruptcy proceeding. The Third Circuit has held that "a possessory interest in real property is within the ambit of the estate in bankruptcy under Section 541, and thus the protection of the automatic stay of Section 362" applies, and for an eviction to be effectuated, a creditor would be required to obtain relief from the automatic stay from the Bankruptcy Court to enforce its claim against the property. *Rothman v. Friedman Vartolo, LLP*, No. 23-15073, 2024 WL 695753 at *8 (Feb. 20, 2024) (internal citations omitted). Simply put, with an automatic stay in effect, an eviction cannot proceed without the creditor receiving permission from the Bankruptcy Court to evict. The protection that Plaintiff seeks is already enacted pursuant to her active Bankruptcy matter. Therefore,

IT IS this 17th day of June 2025 hereby

ORDERED that Plaintiff's Motion for Emergency Relief to Stay Ejectment, (ECF No. 1),
is **DENIED AS MOOT**.

FURTHER ORDERED that the Clerk of Court close this case.


KAREN M. WILLIAMS
United States District Judge